

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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| ELECTRONICALLY FILED |
| DOC #: |
| DATE FILED: 10/21/2021 |

In re: PURDUE PHARMA
BANKRUPTCY APPEALS

x

21 cv 7532 (CM)
 21 cv 7585 (CM)
 21 cv 7961 (CM)
 21 cv 7962 (CM)
 21 cv 7966 (CM)
 21 cv 7969 (CM)
 21 cv 8034 (CM)
 21 cv 8042 (CM)
 21 cv 8049 (CM)
 21 cv 8055 (CM)
 21 cv 8139 (CM)
 21 cv 8258 (CM)
 21 cv 8271 (CM)
 21 cv 8548 (CM)
 21 cv 8557 (CM)
 21 cv 8566 (CM)

This Filing Relates to

x

ALL MATTERS

x

ORDER CONSOLIDATING NEWLY-DOCKETED APPEALS AND
ADDRESSING OTHER MATTERS

McMahon, J.:

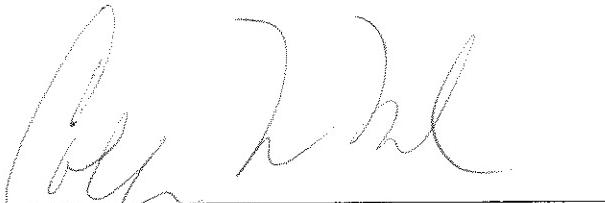
1. I received three new assignments from the Assignment Committee this week: the long-awaited appeal by the State of Vermont has finally been docketed, as have two pro se appeals. Those three actions – 21 cv 8548, 8557 and 8566 – are hereby consolidated with all other pending appeals under the master number 21 cv 7532. Appellants are on the same schedule for briefing imposed by the court – which makes the appellants' briefs due tomorrow. I take it on faith that Vermont is aware of the schedule and will be prepared to file a brief tomorrow. If the pro se appellants are filing briefs on appeal, they can have until Friday, October 29, 2021. If anyone knows of any other anticipated appeal, please let me know as soon as possible.

2. I am getting caught up as fast as I can, but friends, I need a glossary. You all talk in abbreviations (NOAT, DMP) and I am spending as much time trying to figure out what those abbreviations mean (I assume NOAT is Net Operating Asset Trust, and I think DMP means Distributing and Manufacturing Parties – please correct me if I am wrong) as I am reading transcript. Would the Debtors please assemble a master list of abbreviations that have been used in this case to save me a little time?

3. I just want to advise the parties that I remain more than theoretically interested in exactly what kinds of opioid-related claims have been or could be asserted against persons or corporations covered by the Shareholder Release at issue on this appeal who are not themselves officers, directors or agents of one or more of the Debtor corporations. I hope that in your briefing, but certainly by the time of oral argument, you can identify for me some claims (preferably actual claims, but if not then hypothetical claims) as to which the defendant would have no claim on the Debtors' estates, but which are being released under the challenged third-party release.

4. Thinking ahead to November 30: before I impose an oral argument schedule on the parties I will listen to your suggestions. However, heed all of the following: there will be only one day of oral argument, limited to six hours total – three hours for ALL appellants, three hours for appellees. I will have read all of your briefs and digested all of your written arguments. Everyone will want to talk; everyone cannot talk. Think carefully about how you want to allocate your time, because if people start to get redundant I will cut you off. Finally, the week before argument I will very likely give you some idea about what issues I want to talk about – what would be helpful to me in crafting an opinion – and I hope you will tailor your remarks accordingly.

Dated: October 21, 2021



U.S.D.J.

BY ECF TO ALL COUNSEL